

FILED

MAR - 6 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

E-filing

CW

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

William Brown

Plaintiff,

vs.

L. E. Scribner, Warden

Defendant.

Calipatric State Prison)

CV CASE NO.

08 0750  
PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

(PR)

I, Wm Brown, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes        No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 11/18 Net: \_\_\_\_\_

Employer: \_\_\_\_\_

\_\_\_\_\_

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
2 salary and wages per month which you received. (If you are imprisoned, specify the last  
3 place of employment prior to imprisonment.)

4 Butcher King 1997 Santa Cruz CA

7 2. Have you received, within the past twelve (12) months, any money from any of the  
8 following sources:

9      a. Business, Profession or      Yes  No   
10     self employment

11     b. Income from stocks, bonds,      Yes  No   
12     or royalties?

13     c. Rent payments?      Yes  No   
14     d. Pensions, annuities, or      Yes  No   
15     life insurance payments?

16     e. Federal or State welfare payments,      Yes  No   
17     Social Security or other govern-  
18     ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
20 received from each.

23 3. Are you married? Yes  No

24 Spouse's Full Name:

## 25 Spouse's Place of Employment:

## 26 | Spouse's Monthly Salary, Wages or Income:

27 Gross \$ \_\_\_\_\_ Net \$ \_\_\_\_\_

28 4. a. List amount you contribute to your spouse's support: \$ \_\_\_\_\_

28 4. a. List amount you contribute to your spouse's support: \$ \_\_\_\_\_

1       b. List the persons other than your spouse who are dependent upon you for  
 2       support and indicate how much you contribute toward their support. (NOTE:  
 3       For minor children, list only their initials and ages. DO NOT INCLUDE  
 4       THEIR NAMES.).

5       N/A  
 6       \_\_\_\_\_

7       5. Do you own or are you buying a home? Yes  No   
 8       Estimated Market Value: \$ \_\_\_\_\_ Amount of Mortgage: \$ \_\_\_\_\_  
 9       6. Do you own an automobile? Yes  No   
 10      Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_  
 11      Is it financed? Yes  No  If so, Total due: \$ \_\_\_\_\_  
 12      Monthly Payment: \$ \_\_\_\_\_

13      7. Do you have a bank account? Yes  No  (Do not include account numbers.)  
 14      Name(s) and address(es) of bank: \_\_\_\_\_  
 15      \_\_\_\_\_

16      Present balance(s): \$ \_\_\_\_\_  
 17      Do you own any cash? Yes  No  Amount: \$ \_\_\_\_\_  
 18      Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
 19      market value.) Yes  No   
 20      \_\_\_\_\_

21      8. What are your monthly expenses? N/A all paid by state

22      Rent: \$ \_\_\_\_\_ Utilities: \_\_\_\_\_  
 23      Food: \$ \_\_\_\_\_ Clothing: \_\_\_\_\_

24      Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)

3 \_\_\_\_\_  
4 \_\_\_\_\_

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes        No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 \_\_\_\_\_  
10 \_\_\_\_\_

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15 26 Feb 08

16 DATE

17 SIGNATURE OF APPLICANT

Wm Barr

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Case Number: \_\_\_\_\_

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**CERTIFICATE OF FUNDS**

9

**IN**

10

**PRISONER'S ACCOUNT**

11

12 I certify that attached hereto is a true and correct copy of the prisoner's trust account  
13 statement showing transactions of Wm Brown K93463 for the last six months  
14 Calipatria State Prison [prisoner name]  
15 [name of institution] where (s)he is confined.

16 I further certify that the average deposits each month to this prisoner's account for the  
17 most recent 6-month period were \$ 9.17 and the average balance in the prisoner's  
18 account each month for the most recent 6-month period was \$ 2.96.

19

Dated: 2/28/08

D. Zamudio II

[Authorized officer of the institution]

D. Zamudio II

Account CLERK II

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CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIPATRIA STATE PRISON  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: SEP. 01, 2007 THRU FEB. 28, 2008

109

ACCOUNT NUMBER : K93463  
ACCOUNT NAME : BROWN, WILLIAM ODESSA  
PRIVILEGE GROUP: C

## TRUST ACCOUNT ACTIVITY

TRAN DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
-----------	------	-------------	---------	-----------	----------	-------------	---------

02/01/2007 BEGINNING BALANCE

0.00

ACTIVITY FOR 2008							
02/02/08	D300	CASH DEPOSIT	MR/ 703679	25.00	25.00	25.00	
02/14/08	FC02	DRAW-FAC	B-5 3952	0.00	0.00	0.00	
02/23/08	D300	CASH DEPOSIT	MR/ 704147	30.00	30.00	30.00	
02/24/08	W212	FEDERAL FILIN	05962/4189	11.00	19.00	19.00	
02/25/08	W512	LEGAL POSTAGE	01/24 4230	4.60	14.40	14.40	
02/25/08	W512	LEGAL POSTAGE	01/24 4230	1.99	12.41	12.41	
01/25/08	W512	LEGAL POSTAGE	01/24 4230	2.33	10.08	10.08	
01/25/08	W512	LEGAL POSTAGE	01/23 4230	1.48	8.60	8.60	
01/25/08	W512	LEGAL POSTAGE	01/23 4230	1.48	7.12	7.12	
01/28/08	FR01	CANTEEN RETUR	704238	0.85-	0.85-	0.85-	
01/28/08	W513	MISC. CHARGES	ENVEL 4247	0.15	7.82	7.82	
01/28/08	W516	LEGAL COPY CH	1/23 4260	0.30	7.52	7.52	
01/28/08	W513	MISC. CHARGES	02-08/4644	1.40	6.12	6.12	
01/28/08	W513	MISC. CHARGES	02-08/4644	0.30	5.82	5.82	
01/28/08	W513	MISC. CHARGES	02-08/4644	0.15	5.67	5.67	

## CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
02/04/08	HCW			
02/13/08	H109	LEGAL POSTAGE HOLD	1/30 4370	1.31
02/13/08	H109	LEGAL POSTAGE HOLD	1/30 4370	1.31
02/13/08	H118	LEGAL COPIES HOLD	1/29 4378	3.40
02/13/08	H200	GENERAL HOLD	ENVEL 4387	0.30
02/13/08	H118	LEGAL COPIES HOLD	02/04 4438	4.70
02/13/08	H118	LEGAL COPIES HOLD	2/13 4609	11.10
02/13/08	H118	LEGAL COPIES HOLD	2/13 4609	3.00
02/14/08	H109	LEGAL POSTAGE HOLD	2/14 4632	2.16
02/14/08	H109	LEGAL POSTAGE HOLD	2/14 4632	2.16
02/22/08	H109	LEGAL POSTAGE HOLD	2/22 4818	1.65
02/22/08	H109	LEGAL POSTAGE HOLD	2/22 4818	0.75
02/22/08	H109	LEGAL POSTAGE HOLD	2/22 4818	1.48
02/22/08	H109	LEGAL POSTAGE HOLD	2/22 4818	1.31
02/25/08	H200	GENERAL HOLD	ENVEL 4874	0.60
02/25/08	H118	LEGAL COPIES HOLD	2/20 4875	21.60
02/25/08	H118	LEGAL COPIES HOLD	2/26 4958	20.10
02/27/08	H200	GENERAL HOLD	ENVEL 4961	0.30

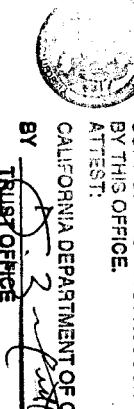
CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIPATRIA STATE PRISON  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: SEP. 01, 2007 THRU FEB. 28, 2008

ACCT: K93463 ACCT NAME: BROWN, WILLIAM ODESSA ACCT TYPE: I

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	55.00	49.33	5.67	77.23	0.00



THE WITHIN INSTRUMENT IS A CORRECT  
COPY OF THE TRUST ACCOUNT MAINTAINED  
BY THIS OFFICE.  
ATTEST:  
CALIFORNIA DEPARTMENT OF CORRECTIONS  
BY 3-27-08  
Trust Office

CURRENT  
AVAILABLE  
BALANCE

71.56-

REPORT ID: T83030 .701

REPORT DATE: 02/28/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS  
 CALIF. INSTITUTION FOR MEN  
 INMATE TRUST ACCOUNTING SYSTEM  
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: SEP. 01, 2007 THRU FEB. 28, 2008

ACCOUNT NUMBER : K93463

BED/CELL NUMBER:

ACCOUNT NAME : BROWN, WILLIAM ODESSA

ACCOUNT TYPE: T

PRIVILEGE GROUP:

## TRUST ACCOUNT ACTIVITY

&lt;&lt; NO ACCOUNT ACTIVITY FOR THIS PERIOD &gt;&gt;

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00

CURRENT  
AVAILABLE  
BALANCE

0.00

THE STATEMENT INFORMATION IS A CORRECT  
 STATEMENT OF THE ACCOUNTS CONTAINED  
 IN THE STATEMENT.  
 STATEMENT PREPARED BY THE CALIFORNIA  
 DEPARTMENT OF CORRECTIONS  
 BY: *BW*

**VERIFICATION**

STATE OF CALIFORNIA  
COUNTY OF IMPERIAL

CV 08 0750  
FILED

(C.C.P. SEC.446 & 201.5; 28 U.S.C. SEC. 1746) *M* MAR - 6 2008

I, Wm Brown Plaintiff RICHARD W. WILMING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA DECLARE UNDER PENALTY OF PERJURY THAT: I AM THE Defendant IN THE ABOVE ENTITLED ACTION. I HAVE READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND THE SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED THEREIN UPON INFORMATION, AND BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

EXECUTED THIS 2 DAY OF March 2008 AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002

(SIGNATURE) Wm Brown

(DECLARANT/PRISONER)

**PROOF OF SERVICE BY MAIL**

(C.C.P. SEC.1013 (a) & 2015.5; 28 U.S.C. SEC.1746)

I, Wm Brown AM A RESIDENT OF CALIPATRIA STATE PRISON, IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA. I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE AND AM / NOT A PARTY OF THE ABOVE-ENTITLED ACTION. MY STATE PRISON ADDRESS IS: P.O. BOX 5002. CALIPATRIA, CALIFORNIA #92233-5002.

ON 2 Mar 2008 I SERVED THE FOREGOING: TFR Application

(SET FORTH EXACT TITLE OF DOCUMENTS SERVED)

ON THE PARTY (S) HEREIN BY PLACING A TRUE COPY (S) THEREOF, ENCLOSED IN A SEALED ENVELOPE (S), WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES MAIL, IN A DEPOSIT BOX SO PROVIDED AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002.

USDC N.D. CA  
450 Golden Gate Ave  
San Francisco CA 94102

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED, AND THERE IS REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING AND THE PLACE SO ADDRESSED.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATE: 2 March 08

Wm Brown  
(DECLARANT/PRISONER)

262-58710001394262

Capitalia CA  
Box 505  
19204

5223

**BUSINESS REPLY MAIL**

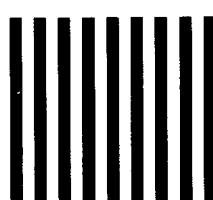
**FIRST-CLASS MAIL PERMIT NO. 12615 WASHINGTON DC**

POSTAGE WILL BE PAID BY UNITED STATES COURTS

X 36060  
OLDEN GATE AVE  
FRANCISCO CA 94102-9680  
CALIFORNIA STATE PRISON  
GENERATED FROM

卷之三

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



00000004627869 MAR 03 2008  
MAILED FROM ZIP CODE 92233

GENERATED FROM  
CALIPATRIA STATE PRISON

6000